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**From:** Kaiser, Steven [kaiser.steven@epa.gov]  
**Sent:** 12/20/2016 6:49:44 PM  
**To:** Carla Morgan [cmorgan@eastchicago.com]; McCoy, Lisa [LMcCoy@idem.IN.gov]; Don Snemis [DSnemis@idem.IN.gov]  
**CC:** Garypie, Catherine [garypie.catherine@epa.gov]; Toney, Marcy [toney.marcy@epa.gov]; Kyte, Larry [kyte.larry@epa.gov]; Nelson, Leverett [nelson.leverett@epa.gov]  
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NWI Times – **EDITORIAL: E.C. lead crisis shows cost of corruption**

**Consultant hears residents' Superfund, housing concerns**

**Salad bars donated to E.C. schools to limit children's lead absorption**

**Chicago Tribune - At lead-tainted Indiana housing complex, inaction and missed warnings**

[http://www.nwitimes.com/news/opinion/editorial/editorial-e-c-lead-crisis-shows-cost-of-corruption/article\\_90fccb2d-b48e-5772-b87d-f056f78b5518.html](http://www.nwitimes.com/news/opinion/editorial/editorial-e-c-lead-crisis-shows-cost-of-corruption/article_90fccb2d-b48e-5772-b87d-f056f78b5518.html)

**EDITORIAL: E.C. lead crisis shows cost of corruption**

A history of public corruption paved the way to East Chicago's lead contamination crisis, and now real lives are on the line.

Northwest Indiana is no stranger to kickbacks, bribes and political corruption convictions.

More than 60 public officials or their allies and preferred contractors have been convicted of various corruption charges in U.S. District Court in Hammond since the 1980s.

Right now, Lake County Sheriff John Buncich and Portage Mayor James Snyder face federal charges for bribery in separate towing schemes. Many more have been convicted of other public corruption crimes over the years.

In most of these cases, the crimes impacted taxpayers' wallets, often including the misuse of public funds or property for the personal gain of others.

Those elements were present in spades during the creation of East Chicago's West Calumet Housing Complex during the 1970s, as shown by the reporting of Times reporters Sarah Reese and Lauren Cross last week.

Resulting court testimony revealed the authority's director took more than \$100,000 in kickbacks for helping steer various contracts related to the low-income housing project to friends and associates.

One of the alleged bribes was for demolishing a shuttered lead factory at the site.

It's unclear whether the bad actors associated with the complex's creation knew of the potential health risks.

But the stark reality in 2016, more than 40 years later, is a low-income housing complex that has exposed hundreds of residents, many of them children, to unsafe lead levels for decades.

The crisis has been well documented in The Times dating back to summer months.

The area is now seen as an imminent health emergency. More than 1,000 residents are being relocated, and untold health damage already has been done.

The history of the West Calumet neighborhood's creation through the fire and anvil of corruption reminds us all of an unacceptable price tag connected to unscrupulous, political greed.

The U.S. attorney's office in Hammond must continue to hunt down and weed out such elements that persist in today's political landscape.

Voters must demand, with a new and unified voice, the resignation of all who are implicated in such schemes.

Tax dollars and public resources aren't the only things at risk. Human well-being can hang in the balance.

The Times Editorial Board

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[http://www.nwitimes.com/news/local/lake/consultant-hears-residents-superfund-housing-concerns/article\\_b46f4587-52b9-56a9-b82c-01ef741f592a.html](http://www.nwitimes.com/news/local/lake/consultant-hears-residents-superfund-housing-concerns/article_b46f4587-52b9-56a9-b82c-01ef741f592a.html)

### **Consultant hears residents' Superfund, housing concerns**

- [Sarah Reese sarah.reese@nwi.com](mailto:sarah.reese@nwi.com), (219) 933-3351

EAST CHICAGO — The city's new emergency management consultant listened Friday to residents' concerns about the USS Lead Superfund site and public housing and assured them the city wants to support them.

Herbie Cruz, who retired several years ago as the city's emergency management director, returned to city work a couple of weeks ago. He patiently listened to residents' concerns during a community strategy group meeting, asked questions and took notes.

"More than likely, if they see all of us united, we can accomplish a lot," he told residents at the start of the meeting.

Cruz began by urging all residents to have their blood tested for lead.

"Be proactive. This is your health. This is your future," he said.

Cruz acknowledged concerns about residents not being notified by the city about testing results. He said after the meeting that the city on Monday will start being more proactive about notifying residents when results are in.

"We'll call contact numbers to let them know. We'll send postcards," he said.

However, the city Health Department will not be releasing blood testing results over the phone, he said. He cited a federal health information privacy law, but also said the city wants face time with residents to educate them.

"They will be asked to come into the health department to pick up their results and receive education on what results may mean," he said.

The group presented a long list of questions to Cruz, who answered some and said he would have to check with Mayor Anthony Copeland and the city's legal team before addressing others.

Cruz said the city is still considering a program to assist residents in paying for water filters and service line replacement.

EPA recently said drinking water at 18 out of 43 homes it tested in the Superfund site tested above allowable limits for lead. The results are not tied to the lead and arsenic in the area's soil, but rather aging lead service lines and equipment.

EPA conducted the testing to address concerns about excavation possibly causing lead particles to break free from service lines and enter the water supply. Superfund residents, including Sara Jimenez, said they're also concerned trains and snowplows may cause lead lines to deteriorate because those activities shake the ground with great force, too.

Jimenez said after the meeting she was excited to hear Cruz signal the city might be willing to seek resources to address residents' demands for a voluntary buyout of their homes at pre-crisis prices.

Cruz also heard concerns from residents of the West Calumet Housing Complex and Nicosia Senior Building.

[http://www.nwitimes.com/news/local/lake/salad-bars-donated-to-e-c-schools-to-limit-children/article\\_961fd09b-6c69-5ae4-81aa-10c70048db93.html](http://www.nwitimes.com/news/local/lake/salad-bars-donated-to-e-c-schools-to-limit-children/article_961fd09b-6c69-5ae4-81aa-10c70048db93.html)

## **Salad bars donated to E.C. schools to limit children's lead absorption**

- [Lauren Cross lauren.cross@nwi.com, 219-933-3206](mailto:lauren.cross@nwi.com)
- Updated Dec 16, 2016

EAST CHICAGO — The United Fresh Start Foundation is donating salad bars to all schools in the School City of East Chicago district to help limit the absorption of lead in children, according to the organization's news release.

Beginning Jan. 1, more than 4,600 students in the East Chicago community will have access to a wide variety of fresh fruits and vegetables every day at lunch.

Recipients include Washington Elementary School, Carrie Gosch Elementary School, Harrison Elementary School, Lincoln Elementary School, McKinley Elementary School, Joseph L. Block Middle School and East Chicago Central High School.

At the start of the school year, Carrie Gosch students were relocated to the former West Side Middle School amid concerns of lead contamination. The old Carrie Gosch sits in the western portion of the lead- and arsenic-contaminated USS Lead Superfund site.

The United Fresh Start Foundation had previously donated salad bars to 22 schools in Flint, Michigan, in light of the ongoing lead crisis there.

"Good nutrition plays a pivotal role in helping to limit the body's absorption of lead. Increasing consumption of fresh fruits and vegetables, especially those that are sources of calcium, vitamin C and iron, is critically important for children exposed to lead," said Dr. Lorelei DiSogra, vice president of nutrition and health at the United Fresh Produce Association.

The United Fresh Start Foundation, a founding partner of the national "Let's Move Salad Bars to Schools" initiative, became aware of the lead contamination issues in East Chicago from the USDA Food and Nutrition Service Midwest Regional Office.

<http://www.chicagotribune.com/ct-east-chicago-lead-test-met-20161208-112-story.html>

## **At lead-tainted Indiana housing complex, inaction and missed warnings**

Angela Caputo and Craig Lyons

First they noticed workers spreading mulch over bare spots on the lawns. Next they were urged by health officials to have their children screened for lead. Then they started seeing signs popping up around the neighborhood, warning them not to play in the yards.

Finally, in July, they got the letter. Lead contamination was so pervasive at the West Calumet Housing Complex in East Chicago that Mayor Anthony Copeland ordered the evacuation of its more than 1,000 residents — mostly children from low-income families — so the complex could be demolished.

For many residents, the mayor's letter was the most direct warning that they were living on highly contaminated land. For Shantel Allen, a West Calumet resident, it also explained why her 2-year-old daughter, Samira, had recently registered an exceedingly high lead level of 33 micrograms per

deciliter. While all lead contamination is considered dangerous, that is more than five times the level that federal officials say warrants intervention.

But others knew.

For more than three decades, government and industry officials received repeated warnings that pollution and dust from nearby plants like the U.S. Smelter and Lead Refinery had contaminated the area and posed a serious health risk, according to dozens of interviews and a review by the Chicago Tribune of hundreds of documents and correspondence.

They were also aware that West Calumet was built on top of a former lead smelter, records show.

Yet rarely, if ever, did officials conduct tests to determine the extent of the contamination, let alone clean up the pollution, until the complex and surrounding area were declared a Superfund site in 2009, the Tribune found.

Only a single soil sample was taken from West Calumet over more than 20 years even though officials tested other nearby areas and conducted a limited cleanup.

"I don't want to speculate too much about why they did what they did and when they did it," said Doug Ballotti, acting director of the EPA's Midwest Superfund division, which is now taking the leading role on cleaning up the site. In retrospect, he added, "You can say, yeah, there's this information that we've developed since that time that indicates perhaps a bigger problem than we knew at the time."

Even when officials found contamination among children in the census tract that includes the apartment complex in the 1990s, they were slow to propose a remedy or even inform residents.

The breaking point, city officials said, was a memo from the EPA over the summer that cautioned workers not to cut the grass too short or use leaf blowers to avoid creating dust clouds.

"We blew the whistle on it," said East Chicago's city attorney, Carla Morgan, after "a lot of years when people did not ask the pertinent questions."

Only now is the EPA rolling out a cleanup plan under the Superfund program — decades after the agency first considered the possibility of making the area a federal priority. And only now have officials offered comprehensive testing of every resident. City officials have confirmed that 33 children younger than 7 at the complex have excessive lead in their bloodstream.

To state Sen. Lonnie Randolph, who represents the area, there is a simple, nagging question: "Why did it take so long to respond to this crisis situation?"

## **A toxic legacy**

It has long been an open secret among state and federal officials that the West Calumet Housing Complex was built on polluted land.

At one point, five companies in the area were churning out chemicals including lead and arsenic that served the region's booming industrial economy.

So when former East Chicago Mayor John Nicosia, a medical doctor, announced in 1970 that the East Chicago Housing Authority had landed a \$13 million federal grant to build hundreds of

apartments and homes for low-income residents, he found land available where two of the shuttered lead manufacturers, EaglePicher Co. and Anaconda Copper Co., had once operated.

"The West Calumet Housing Complex," Ballotti said, "is on the footprint of the old Anaconda smelter facility."

It was a similar story around the region. When local officials sought land for public housing, often the parcels selected were situated amid heavily industrialized sites. And awareness of lead contamination was not as high as it is today. The residential use of lead paint wasn't banned until 1978, nearly a decade after the EPA was first formed.

Still, it wasn't long after West Calumet opened that government officials started to express concern about contamination from the neighboring USS Lead plant, and took only limited action.

In 1981, for example, the EPA cited USS Lead for failing to protect waste piles from being scattered by wind. USS Lead agreed to keep the piles from spreading with a chemical agent and pay a civil penalty. It was for \$1,000.

Around that time, a plan was crafted under the federal Resource Conservation and Recovery Act, which at the time was a fairly new initiative set up to deal with hazardous waste in places like East Chicago so it wasn't abandoned before manufacturing dried up.

Even with this Indiana-led initiative, the cleanup dragged on until a federal lawsuit, filed under the Clean Water Act, was settled out of court in 1991.

That agreement was also limited in scope, calling for the parent company of USS Lead, which shuttered in 1985 and was bankrupt, to pay a \$55,000 fine and place tarps over a small mountain of toxic waste that remained — an estimated 2,100 tons in all, exposed to the wind.

"The state of Indiana clearly dropped the ball," according to David Dabertin, IDEM's regional director in Northwest Indiana between 1991 to 1995, who said that the East Chicago site fell low on the priority list amid a host of problems in the region.

Officials from the Indiana Department of Environmental Management, the agency tasked with overseeing the cleanup, declined numerous interview requests.

## **Lead dangers**

By the 1980s, it was well-established that lead poisoning can cause brain damage in children.

"They were well aware that it put kids at risk," said Dr. Thomen Danielson, a physician who headed up the Maternal and Child Health Division of Indiana's health department.

Around that time, government officials were exercising a powerful new tool — the Superfund law, which was adopted in 1980 and gave broad federal authority to clean up toxic sites at the expense of industrial polluters.

Soon after its passage, the EPA began to consider adding the USS Lead site, not including the surrounding area, to the Superfund priorities list. But it chose not make a formal application and instead deferred to Indiana officials.

In 1985, activity around the site picked up.

Indiana health department officials conducted limited blood screening near West Calumet. It found that two of 53 children tested had elevated lead levels.

That same year, U.S. Rep. Peter Visclosky, a Democrat from Merrillville, wrote a letter to EPA officials warning of "immediate danger" of toxic waste being spread into the air and water. He also urged that the EPA clean up the USS Lead site under the Superfund program.

Then the EPA ordered soil tests for lead in the West Calumet neighborhood — the only such test until 2009.

EPA officials say that the agency did not test West Calumet over the more than two decades that followed because a study of wind patterns suggested that limited debris from USS Lead was blowing into the housing complex.

However, a report issued by federal and state officials shows that health experts warned that the people of West Calumet were among those at greatest risk for lead exposure. Indiana's health department went on to recommend that IDEM look closer at the public housing complex to determine if the old Anaconda and EaglePicher smelters also contributed to the local lead contamination.

What is clear is that for decades, the only soil sample data available was from that single, benign 1985 test. And an odd place was chosen to pull that lone sample — from the northwest corner of the apartment complex, the farthest point from the USS Lead site and out of the footprint of where the Anaconda smelter once operated. No lead contamination was found.

"That just boggles my mind that you have a site with an operating lead smelter and you take one sample to characterize the site," said James Barnes, the EPA's deputy administrator in the 1980s and now an environmental law professor at Indiana University. "You're talking about little kids who can't protect themselves."

Instead, state and federal environment officials remained primarily focused on containing any dust at the USS Lead site itself.

"I'm sure the finger is pointing in different directions of it was somebody else's responsibility or decision or this was our priority," Barnes said.

By 1991, when the EPA reached the out-of-court settlement for USS Lead to pay the \$55,000 fine and throw tarps over the toxic waste pile, the agency appeared to be laying the groundwork for a cleanup of the surrounding neighborhood.

"We know there is lead spread out for great distances around the plant and in the sediments of the Grand Calumet River," from lead smelting operations at USS since the early 1900s, a technical expert for the EPA, Michael McDonough, told The Times of Northwest Indiana at the time.

In 1992, the EPA agreed that stronger cleanup measures were needed. This time, it formally asked that the USS Lead site be put on the Superfund priorities list because the company had "demonstrated an inability to finance appropriate remedial action by invoking bankruptcy laws."

The next year, however, the EPA once again dropped its efforts, deferring to the state-led cleanup for financial reasons. "We were asked to step aside, which we did," Ballotti, the Superfund official, said.

It took at least another four years before the mountain of debris on the USS Lead site was removed.

## **A tainted school**

Years of inaction followed, until 1997, when government officials had perhaps their best opportunity to address the contamination.

A new grammar school was being built next to West Calumet. The EPA took notice, saying it was concerned about "increased lead exposure to schoolchildren associated with the construction" of the Carrie Gosch school, according to a memo from the Indiana Department of Environmental Management.

Both state and school district officials seemed to agree, and tested the soil.

In eight of the 29 samples taken that November, lead levels were found to be so high that they met the EPA's current threshold for emergency action.

But there are no records of a more thorough environmental review, and it is not known if one was ever performed.

Weeks after the EPA raised a red flag over the construction, the city's health department offered more lead screening at West Calumet. Although relatively few children were tested, state officials found an unusually high rate of exposure; 35 percent of young children tested positive.

Officials concluded that lead exposure had "consistently occurred" for nearly a decade but that "no information exists on surface soil lead levels in the vicinity of homes where the participants were found with elevated blood levels."

The school was built.

"They just turned their heads so many times when there were signs about the endangerment of public health," said Debbie Chizewer, a lawyer with the Environmental Advocacy Center at Northwestern University's Bluhm Legal Center, which has petitioned to represent residents in a formal role in the management of the cleanup.

Dabertin, the former Northwest Indiana regional environmental director, acknowledged that the West Calumet complex was simply not a priority.

Had state officials been closer to the site, Dabertin said, they would have connected the dots quicker. "I can't imagine that they wouldn't say, 'Let's protect these kids,'" Dabertin said. "But if it's out of sight and expensive and hard, why bother?"

Soil testing did occur in other parts of the neighborhood, though, and the EPA even used its emergency authority over the next decade to begin digging up yards and replacing contaminated soil in a residential area outside of West Calumet, which is now also part of the Superfund zone.

## **The human toll**

All the while, evidence continued to mount that children in West Calumet were being poisoned.

In the census tract that includes West Calumet, 160 children younger than age 6 — or 21 percent of the kids screened between 2005 and 2015 — registered lead levels that exceeded federal health guidelines, state health department records show. That's more than three times the average rate statewide.



Now, West Calumet residents like Allen are looking for a new place to live. Many have moved, but Allen, and her five children, remain.

Since learning in July that her 2-year-old daughter, Samira, had lead poisoning, she's been feeding her toddler the steady diet of green beans and leafy foods that her doctor recommended. She's been eating it up too, her mother said, pointing to her round cheeks. Her lead level has fallen dramatically, though to a level that is still above the federal threshold.

"I don't even know who to point the finger at," Allen said. "I didn't know what was going on. Nobody told us anything."

*The story included an incomplete reference to the period of time that government officials had rarely tested, or cleaned up, the complex for the contamination. More comprehensive testing and cleanup began with the designation of the complex and surrounding area as a Superfund site in 2009.*

[acaputo@chicagotribune.com](mailto:acaputo@chicagotribune.com)

[clyons@post-trib.com](mailto:clyons@post-trib.com)

Twitter @angelaTCR

Twitter @craigalyons

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Sincerely,

Steven P. Kaiser  
Office of Regional Counsel  
United States Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
(312) 353 - 3804